

REMARKS

Introductory Comments

The present application includes claims 1-20, wherein claims 1, 10 and 17 are presented in independent form. With this Amendment, Applicants have amended claims 1, 10, 14-15, and 17 to place the application in better condition for allowance or for consideration on appeal. Applicants' arguments previously made in the response mailed May 12, 2004 are incorporated herein by reference, but not repeated for the sake of brevity. As such, reconsideration and reversal of the rejections expressed in the Office Action dated August 8, 2004, are respectfully requested in light of the following.

Claim Rejections

The Examiner rejected claims 1-4, 7, 8, 10-13, and 17-20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,945,592 to Sims et al. in view of U.S. Patent No. 4,905,944 to Jost et al. Claims 5, 6, and 14-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sims et al. in view of Jost et al and further in view of U.S. Patent No. 4,886,237 to Dennis. Claim 9 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Sims et al. in view of Jost et al. and further in view of U.S. Patent No. 5,556,065 to Wadley.

Claims 1 and 17 are amended to incorporate a portion of dependent claim 19, namely, that the grip portions are concentrically coupled to the claimed handles; i.e., they are coaxial with the claimed handles – such as shown in Fig. 1.

None of the cited references disclose, teach, or suggest the claimed grip portions as recited in amended claims 1 and 17. Neither *Sims* nor *Dennis* teaches a grip portion at all, and *Jost* only teaches handle and sleeve 70, 72 that are perpendicular to the pole 22 as shown in Figs. 1 and 2. The only teaching and motivation for concentrically coupling the grip portions to the handles as claimed is found in Applicants' specification.

Claim 10 is amended to particularly recite that the first and second couplers are configured to couple the first and second handles, respectively, to the patient support, in one of a plurality of discretely spaced positions, as shown for example by Fig. 2. *Sims* only teaches a pivoting portion 38 (col. 3, lines 54-56), and *Dennis* only teaches a continuous track (arcuate slot 14 shown in Fig. 3 and described at col 4, lines 64-68). None of the other cited references even disclose a pivoting attachment system at all. The only motivation for providing discretely spaced positions as claimed is found in Applicants' specification.

Claims 5, 6, and 14-16

Claims 5, 6, and 14-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sims et al. in view of Jost et al and further in view of Dennis.

Since claims 5 and 6 depend from properly allowable claim 1, and claims 14-16 depend from properly allowable claim 10, it is respectfully submitted that these claims are likewise in condition for allowance.

Claim 9

Claim 9 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Sims et al. in view of Jost et al. and further in view of Wadley.

Since claim 9 depends from properly allowable claim 1, it is respectfully submitted that this claim is likewise in condition for allowance.

Final Comments

In view of the foregoing, it is respectfully submitted that all of the solicited claims are in condition for allowance. Such action is respectfully requested.

If necessary, applicants request that this response be considered a request for an extension of time appropriate for the response to be timely filed. Applicants request that any required fees needed beyond those submitted with this response be charged to the deposit account of Bose McKinney & Evans, Deposit Account No. 02-3223.

The Examiner is invited to contact the undersigned at the telephone number provided below should any question or comments arise during the course of consideration of this matter.

Respectfully submitted,

BOSE MCKINNEY & EVANS LLP

By: 

Christine E. Mayewski Orich

Registration No.: 44,987

Indianapolis, Indiana
(317) 684-5000

569269_1